

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

In re:

PATRICK J. WALKER,

Debtor.

Case No. BG 19-03843
Chapter 7

ERIC CORDEIRO SPINETTI S.R. MATTA &
FERNANDA QUINTANILHA,

Plaintiffs,

Adversary Proceeding
No. 19-80129

-vs-

PATRICK J. WALKER,

Defendant.

SECOND PRETRIAL ORDER

A second pretrial conference respecting the above adversary proceeding took place in Grand Rapids, Michigan, on March 5, 2020. Appearing at the pretrial conference were:

Jeffrey Steinport, Esq., attorney for Plaintiffs.

Patrick J. Walker, pro se Defendant.

Plaintiff, Eric Cordeiro Spinetti S.R. Matta, was also present at the pretrial conference.

Jurisdiction

See First Pretrial Order.

The Plaintiffs have consented to this bankruptcy court entering a final order. See Complaint, AP Dkt. No. 1, at ¶ 8. The Defendant consented to this court entering a final order on the record at the pretrial conference. The court indicated that it would permit the Defendant to revisit this issue if he retains counsel.

Issues

See First Pretrial Order.

Pleadings

See First Pretrial Order.

Discovery

Discovery in this adversary proceeding is now open and shall remain open until further order of the court. A deadline for the completion of discovery will likely be established at the Third Pretrial Conference.

Discovery Motions

The court will not consider motions related to contested discovery unless, prior to the filing of the motion, the parties have conferred, through direct dialogue and discussion either in person or by telephone, and attempted to resolve their differences in good faith. Any discovery motion filed with the court shall include a statement of compliance with this requirement. The statement must contain sufficient facts to allow the court to evaluate the adequacy of the parties' compliance or noncompliance with the meet and confer requirement. Failure to satisfy the meet and confer requirement and/or failure to include a statement of compliance with the discovery motion may result in denial of the motion.

Settlement and Facilitative Mediation

The parties have agreed to engage in good faith settlement negotiations until March 20, 2020. If the parties are unable to reach a settlement of this adversary proceeding on their own, the court will enter an order referring this proceeding to facilitative mediation as of **March 23, 2020**.

Rule 7026(f) Conference & Discovery Plan

If facilitative mediation is not successful, the parties shall meet at least once in person or telephonically prior to the Third Pretrial Conference to discuss: (a) the nature and basis of their claims and defenses; (b) the possibility of a prompt resolution of the adversary proceeding; (c) what additional discovery may be needed and when discovery should be completed; (d) the disclosure and preservation of discoverable evidence, including electronically stored information; and (e) arrangements for providing the disclosures required by Fed. R. Bankr. P. 7026(a)(1).

The parties shall file with the court a report, signed by all parties, outlining the discovery plan by no later than **April 24, 2020**. In accordance with Fed. R. Bankr. P. 7026(b)(1), the scope of discovery provided for in the discovery plan shall be proportional to the needs of the case.

Subsequent Pretrial Conference Date

A third pretrial conference will be held on **April 30, 2020, at 1:00 p.m.** at the United States Bankruptcy Court, One Division North, Courtroom B, Grand Rapids, Michigan.

IT IS FURTHER ORDERED that the Clerk shall serve a copy of this Order pursuant to Fed. R. Bankr. P. 9022 and LBR 5005-4 upon:

Jeffrey Steinport, Esq.

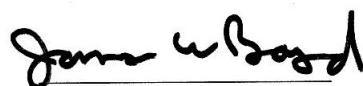
Patrick J. Walker
2717 Mulford Dr. S.E.
Grand Rapids, MI 49546

END OF ORDER

IT IS SO ORDERED.

Dated March 14, 2020




James W. Boyd
United States Bankruptcy Judge